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12 BAY, LLC; DTRS HALF MOON BAY, LLC AND STRATEGIC HOTELS AND RESORTS, INC.

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29 Attorneys for Plaintiff RICHARD SKAFF

30 UNITED STATES DISTRICT COURT  
31 NORTHERN DISTRICT OF CALIFORNIA

32 RICHARD SKAFF,

33 Case No. C10-01115-CRB  
34 Civil Rights

35 Plaintiff,

36 v.  
37 **STIPULATION AND [REDACTED]**  
38 **ORDER EXTENDING DEADLINES**  
39 **UNDER GENERAL ORDER 56 AND**  
40 **REFERRING MATTER TO**  
41 **MEDIATION**

42 RITZ-CARLTON HOTEL COMPANY, LLC;  
43 et al.,

44 Defendants.

45 /  
46 Related Case No. C10-4107-CRB

47 MICHAEL PAULICK,

48 Plaintiff,  
49 [TO BE FILED IN BOTH ACTIONS]

50 v.

51 RITZ-CARLTON HALF MOON BAY, et al.

52 Defendants.

53 /

54 The Parties continue to make substantial progress toward resolution, and although more

55 **Stipulation and Order Extending Deadlines and Referring Matter to Mediation:**  
56 **Case Nos. C10-01115-CRB and C10-4107-CRB**

1 meetings are planned, they believe the two cases are now ready for referral directly to a joint  
2 mediation. As a status of efforts under General Order 56, the parties held another full day  
3 inspection and meeting on site on November 1, 2010, and now have completed their initial  
4 disclosures. However, intervening scheduling difficulties of counsel, including a trial in  
5 another matter, have prevented rescheduling and full completion of that process, including their  
6 final meeting, which the parties anticipate will be possible within the next three to four weeks.  
7 In the mean time, and to ensure adequate time for discussion without further delaying ultimate  
8 resolution, the parties request another 60 day extension of all General Order 56 deadlines (as  
9 set forth in the Court's Orders of November 1, 2010) and that the two cases be referred directly  
10 to a joint mediation to occur within the next 60 to 75 days before Howard Herman of the ADR

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1 Department.

2 SO STIPULATED.

3 Dated: November 30, 2010

ANNE D. O'NIELL, ESQ.  
CHRISTINA A. LEE, ESQ.  
HINSHAW & CULBERTSON LLP

5 /s/ Authorized Signed

6 Attorneys for Defendants THE RITZ-CARLTON  
7 HOTEL COMPANY, LLC; MARRIOTT  
8 INTERNATIONAL, INC.; SHC HALF MOON  
9 BAY, LLC; DTRS HALF MOON BAY, LLC  
10 AND STRATEGIC HOTELS AND RESORTS,  
11 INC.

12 Dated: November 30, 2010

13 THEODORE L. WHITE, ESQ.  
14 DEUTSCH, KERRIGAN & STILES, LLP

15 /s/ Authorized Signed

16 Attorneys for Defendants SHC HALF MOON BAY,  
17 LLC; DTRS HALF MOON BAY, LLC; and  
18 STRATEGIC HOTELS AND RESORTS, INC.

19 Dated: November 30, 2010

20 SIDNEY J. COHEN, ESQ.  
21 SIDNEY J. COHEN PROFESSIONAL  
22 CORPORATION

23 /s/ Authorized Signed

24 Attorneys for Plaintiff RICHARD SKAFF

25 Dated: November 30, 2010

26 TIMOTHY S. THIMESCH, ESQ.  
27 THIMESCH LAW OFFICES

28 /s/ Authorized Signed

29 Attorneys for Plaintiff MICHAEL PAULICK

## 21 **DECLARATION OF TIMOTHY S. THIMESCH**

30 I, Timothy S. Thimesch, declare:

31 1. I am counsel for the plaintiff in the case *Michael Paulick v. Ritz-Carlton, Half*  
32 *Moon Bay, et al.*, also filed in this court as Case No. C10-4107 CRB ("the Paulick Case"),  
33 which has been related to *Richard Skaff v. Ritz-Carlton Hotel Company, LLC, et al.*, filed as  
34 Case No. C10-01115-CRB in the United States District Court, Northern District of California  
35 ("the Skaff Case"). I am familiar with the facts on file for the two cases.

36 2. The parties in *Skaff* have received two prior extensions of the General Order 56

deadlines to meet scheduling demands. In the last Skaff request for an extension, the parties in the Paulick case sought to coordinate, and therefore sought and received permission to accelerate their GO 56 deadlines.

3. Since the last coordinated extension/advancement, counsel and consultants met on site for a full day inspection of the premises. This occurred on November 1, 2010. The parties are currently coordinating an effort to reschedule the conclusion of that inspection and the holding of a final GO 56 meeting among all parties. Presently this effort has been complicated by the scheduling conflicts for defense counsel Ted White, who represents that he has been in trial for the past several weeks.

4. Already, however, the parties have made significant enough progress without the final meeting to be ready for mediation. They request that the case be referred to Howard Herman of the ADR Department. The parties will have the injunctive relief issues sufficiently narrowed to be ready by the time of mediation.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 24<sup>th</sup> day of November 2010 at Walnut Creek, California.

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**TIMOTHY S. THIMESCH, declarant**

## ORDER

SO ORDERED.

Dated: Dec. 3, 2010

